

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSEPH JACKSON,

Plaintiff,

Case No.: 18-CV-3007

NASSAU COUNTY; THE INCORPORATED VILLAGE
OF FREEPORT; DETECTIVE ROBERT DEMPSEY;
DETECTIVE GARY ABBONDANDELO; DETECTIVE
JOHN M. HOLLAND; DETECTIVE MICHAEL HERTS;
DETECTIVE MARTIN ALGER; POLICE OFFICER
ROBERT MELENDEZ; DETECTIVE WALTER
SWENSON; DETECTIVE ANTHONY KOSIER;
DETECTIVE SERGEANT DAN SEVERIN; DORA
MULLEN, AS THE ADMINISTRATOR OF THE ESTATE
OF JERL MULLEN; JANE DOE, AS THE
ADMINISTRATOR OF THE ESTATE OF ARTHUR
ZIMMER, and JOHN and JANE DOE 1 through 20,

NOTICE OF MOTION

Defendants.

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PLEASE TAKE NOTICE that, upon annexed declaration of Keith M. Corbett, dated April 17, 2020, the affidavit of Raymond Horton, dated April 17, 2020, the Defendants The Incorporated Village of Freeport, Police Officer Robert Melendez, and the Estate of Arthur Zimmer (hereinafter “Village Defendants”), will move this Court, before the Honorable Joanne Seybert, United States District Judge, at the United States Courthouse, 100 Federal Plaza, Central Islip, New York 11722, on June 1, 2020, or on any such date as this Court may determine, for an Order dismissing Plaintiff Joseph Jackson’s (“Plaintiff”) Second Amended Complaint against the Village Defendants with prejudice pursuant to Rules 12(b)(2), (5) and (6) of the Federal Rules of Civil Procedure, dismissing all claims and all Village Defendants from this action. The Village Defendants further respectfully request such other and further relief that the Court deems just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE that the Village Defendants respectfully request oral argument.

Dated: Uniondale, New York
April 17, 2020

HARRIS BEACH PLLC
Attorneys for the Village Defendants

s/ Keith M. Corbett

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